



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

BRUCE C. TRUESDALE, P.C.

By: Michael M. Khalil, Esq.

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Attorneys for Debtor

IN RE:

THOMAS PHILLIPS

Debtor(s).

Order Filed on December 23, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-17260

Chapter 13

Hearing Date: December 15, 2020

Judge: Michael B. Kaplan

CONSENT ORDER RESOLVING MOTION TO VACATE STAY

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: December 23, 2020

A handwritten signature of Michael B. Kaplan, written in black ink and underlined.

Honorable Michael B. Kaplan
United States Bankruptcy Judge

In re Phillips
Case No: 18-17260
Consent Order Resolving Motion for Stay Relief

THIS MATTER having been opened to the Court upon Motion to Vacate Automatic Stay by Cortland Neighborhood Condominium Association (“Movant”) and the Debtor having filed opposition thereto, with respect to property known as 141 Cortland Lane, Bedminster, New Jersey 08807, and the Court noting the consent of the parties to the form, substance and entry of the within Order, and for good cause shown, it is hereby **ORDERED** as follows:

- 1) Debtor shall tender a sum of \$7,522.00 directly to Movant immediately upon entry of this Order. Upon receipt of these funds Debtor’s account shall be deemed current through and including December 31, 2020.
- 2) Movant shall be permitted to file a priority unsecured proof of claim in the amount of \$1,296.00. This proof of claim shall be deemed timely and eligible for distributions from the Standing Chapter 13 Trustee only if it conforms with the limitations specified herein. The Movant shall require the written consent of the Debtor to amend their proof of claim. This proof of claim is deemed consistent with the Debtor’s confirmed chapter 13 plan.
- 3) Should the Debtor fail to make any of the above referenced payments, or if any future association dues payments are more than fifteen (15) days late, counsel for the Movant shall file a Certification of Default with the Court for the entry of an order granting relief from the automatic stay. A copy of the Certification shall be served on the Debtor, Debtor’s Counsel and the Standing Chapter 13 Trustee.
- 4) Creditor’s attorney is awarded attorney’s fees of \$350.00, and costs of \$181.00. The fees and costs are payable through the Chapter 13 plan.
- 5) The United States Bankruptcy Court for the District of New Jersey shall retain all jurisdiction as to this Order and its enforcement.

The undersigned hereby consent to the form and entry of the foregoing order

/s/ Michael M. Khalil, Esq.
Michael M. Khalil, Esq.
Attorney for Debtor

Dated: 12/16/2020

/s/ Joseph Lemkin, Esq.
Joseph Lemkin, Esq.
Attorney for Creditor

Dated: 12/16/2020